ROPES & GRAY
225 FRANKLIN STREET
BOSTON, MASSACHUSETTS 02110
(617) 423-6100

CABLE ADDRESS "ROPGRALOR"
TELEX NUMBER 940519
TELECOPY (617) 423-7841

IN WASHINGTON
1001 TWENTY-SECOND STREET, N.W.
WASHINGTON, D.C. 20037
(202) 429-1600

November 21, 1984

Charles C. Bering, Esq.
United States Environmental
Protection Agency
Region 1
J.F.K. Federal Building
Boston, MA 02203

Re: New Bedford Harbor

Dear Mr. Bering:

Further to our meeting last week at the EPA, the defense group has certain questions which must be answered in connection with the preparation of comments on the RI/FS.

1. Data obtained by EPA's Environmental Response Team indicate that transported PCBs may be associated with very fine fractions or perhaps insoluble forms, and Jerry Sotolongo indicated that the shallow sediments contain oils which could solubilize PCBs and aid in their transport. Containment of such fractions could pose special problems in any remedial action involving sediment removal and associated disturbance. Has EPA considered these problems from the technological standpoint? Are there data on how effective dredging would be in containing and removing the PCBs versus how much would be lost to the water column as very fine and soluble fraction?

2. What foreign dredging technologies is EPA considering for New Bedford Harbor?

3. One consequence of inefficient retention of very fine to soluble fractions of PCBs during dredging operations could be the release of substantial quantities of these chemicals to the water column. This in turn could result in subsequent recontamination of the upper estuary and transport to the lower estuary.

Has EPA assessed the public health and environmental implications of such releases? If so, what conclusion has EPA drawn? If not, will EPA be undertaking such an assessment? At what time? In what manner?

4. In addition to the foregoing, it would be helpful to know the following for containment options:

A. The estimated water balance for the system, including precipitation. What volume of water will require treatment?

B. What will be the discharge water quality requirements?

C. What are the assumed design and operating features of the treatment system, i.e., what is the technical basis for the cost estimates presented in the Draft FS?

5. EPA has indicated that it has conducted some studies attempting to determine the level of human exposure to PCBs in the ambient air in the New Bedford area. What have those studies consisted of? Has a risk assessment been conducted, including a toxicity/hazard assessment and an exposure assessment?

6. EPA has stated that there may be significant dermal exposure to PCBs in the mud flats. What studies has EPA done to determine the extent of such exposure? What studies have been done concerning the dermal uptake of PCBs from contaminated sediments?

7. EPA has suggested that residents of New Bedford, as well as others, may be ingesting PCBs through the food chain. What studies have been conducted to determine the extent of such uptake by humans?

We also need the following cost information for each of the alternatives in the NUS reports:

1. Direct Costs
   a. construction costs
   b. equipment costs
   c. land and site development costs
   d. building and services costs

2. Indirect Costs

a. engineering costs
b. legal fees and license/permit costs
c. relocation expenses (if any)
d. start-up and shake-down costs
e. contingency allowances

3. O & M Costs
   a. operating labor
   b. maintenance costs
   c. auxiliary materials and energy
   d. purchased services
   e. disposal costs
   f. administrative costs
   g. insurance, taxes and licensing costs
   h. contingency and reserve

4. Present Worth Calculations

While the total amounts for several of the items listed above are included in the Draft FS, we are seeking the component costs and assumptions for each cost category.

We also need clarification as to the RCRA and/or TSCA requirements to be imposed upon containment facilities proposed for the study area. In particular, are there any RCRA or TSCA requirements that would constrain the use of steel sheet piling for containment?

We also request that you furnish as soon as possible detailed computer program and computer applications information used to analyze and manipulate the Metcalf & Eddy data base.

Finally, we request all hydraulic and hydrologic analyses and data, as well as detailed information on the design bases, for the various remedial action alternatives.

Very truly yours,

Paul B. Galvani

PBG/jmm

cc: Bradford Gentry, Esquire
Lee Breckenridge, Esquire
John Stevens, Esquire
Daniel J. Gleason, Esquire
David A. McLaughlin, Esquire
Ralph A. Child, Esquire
John Quarles, Esquire